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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/046,450

10/19/2001

Keith E.G. Emery

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7590

12/30/2003

HEWLETT-PACKARD COMPANY

Intellectual Property Administration

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EXAMINER

TRAN, LY T

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/046,450

Applicant(s)

EMERY, KEITH E.G.

Examiner

Ly T TRAN

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 8 and 12 are rejected under 35 U.S.C. 102(e) as being anticipate by Komplin et al. (USPN 6,155,678).

With respect to claim 8 and 12, Komplin discloses an ink jet print cartridge comprising a storage medium (Fig.1: element 12, 90)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 6-9, 11-14, 16, 17 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (USPN 6,155,678) in view of Gamblin et al. (USPN 3,656,827).

With respect to claims 1, 2, 4, 6-9, 11-14, 16, 17 and 27, Komplin et al discloses a print cartridge (Fig.1: element 12) comprising a storage medium (element 90), the storage medium comprises an adhesive for attachment to the component (Column 5: line 11-15) and the component includes an ink jet printer cartridge (Column 5: line 5-6).

However, Komplin et al fails to teach the storage is a hologram.

Gamblin teaches the storage is a hologram (Abstract), the hologram comprises a writeable, readable (Abstract, Column 3: line 22-50) and hologram can be written using a laser.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a hologram memory as taught by Gamblin. The motivation of doing so is obtain a greater volumetric efficiency in storage and lower cost.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (USPN 6,155,678) in view of Gamblin et al. (USPN 3,656,827) as applied to claim 1 above, further in view of Tanaka et al (USPN 6,446,177).

The combination of Komplin and Gamblin fails to teach the hologram includes a logo company.

Tanaka teaches the hologram includes a logo company (Column 34: line 30-34).

It would have been obvious to one having ordinary skill in the art at the time the invention was made as modify to has a logo company as taught by Tanaka. The motivation of doing so is to demonstrate that it has a function of copyright protection is also usable for this purpose.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (USPN 6,155,678) in view of Gamblin et al. (USPN 3,656,827) as applied to claim 1 above, further in view of Karakama et al. (USPN 6,654,567).

The combination of Komplin and Gamblin discloses the storage medium adheres to the component instead of snap-fits to the component.

Karakama et al. shows that the storage medium adheres to the component and snap-fits to the component (Column 21: line 1-25) is an equivalent structure known in the art. Therefore, because the storage medium adheres to the component and snap-fits to the component were art recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious to snap-fit instead of adhere for the same purpose such as mounting the storage to the component.

5. Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (USPN 6,155,678) in view of Gamblin et al. (USPN 3,656,827) as applied to claims 1 and 8 above, further in view of Bullock et al. (USPN 5,812,156).

The combination of Komplin and Gamblin fails to teach the storage medium comprises indicia of authenticity and manufacturing line.

Bullock teaches the storage medium comprises indicia of authenticity and manufacturing line (Column 4: line 23-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made as modify to have the storage medium comprises indicia of authenticity and manufacturing line as taught by Bullock. The motivation of doing so is provide updated parameters to customers who already have installed printers.

6. Claims 18-26 and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ujita et al. (USPN 5,506,611) in view of Heiman et al. (USPN 4,933,538).

With respect to claims 18-26 and 28-31, Ujita discloses a method for reading, writing data to storage and a method of instructing an image-forming device (Column 17: line 11-25, Fig.13: element 37, 38), component is a printer cartridge, the device is housed in a printer, the component is installed in the printer and the characteristic is compability (Fig.13, Column 4: line 11-25).

However, Ujita fails to teach the detail of how to read, write and the emitting comprises a laser emission.

Heiman teaches the details such as emitting energy form a device, wherein at least one of readable and writeable, detecting energy reflected for the storage, determining a bit value (Column 5: line 25-34, Column 6: line 4-52, the bar code is a bit

value). It would have been obvious to one having ordinary skill in the art at the time the invention was made to read and write as taught by Heiman. The motivation of doing so is operate in both a low power mode and a high power mode in order to prolong the operational lifetime of the light source.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly T TRAN whose telephone number is 703-308-0752. The examiner can normally be reached on M-F (7:30am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 703-308-4896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0967.



December 19, 2003



Stephen D. Meier
Primary Examiner